A/AC.172/1990/CRP.9/Add.2
28 August 1990

ORIGINAL: ENGLISH

COMMITTEE ON CONFERENCES
1990 substantive session
20-29 August 1990
Agenda item 10*

ADOPTION OF THE REPORT

Draft report of the Committee

Rapporteur: Ms. Maria ROTHEISER (Austria)

II. CALENDAR OF CONFERENCES AND MEETINGS

B. Adoption of the draft revised calendar of conferences and meetings for 1991

Introduction and overview

1. At its 315th, 316th, 318th, 319th and 323rd meetings, on 22-24 and 28 August 1990, the Committee reviewed the draft revised calendar of conferences and meetings for 1991 as contained in documents A/AC.172/1990/CRP.6 and Add.1.

2. In section III, paragraph 2, of its resolution 44/201 B of 21 December 1989, the General Assembly requested the Human Rights Committee and the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space to take fully into account the recommendations contained in paragraphs 23.5, 23.6, 2A.6 and 2A.7 of the report of the Advisory Committee on Administrative and Budgetary Questions, 1/ including the need for optimum use of resources, as well as the provisions of General Assembly resolution 40/243 of 18 December 1985, and article 37 of the International Covenant on Civil and Political Rights, 2/ when deciding on the venue of their future sessions and to report to the Assembly at its

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* A/AC.172/132/Add.1.

forty-fifth session through the Committee on Conferences. Information received from the bodies concerned was before the Committee in document A/AC.172/1990/CRP.8 and was considered by the Committee under this agenda item.

3. In introducing the document, the Secretariat noted that the draft revised calendar for 1991 was essentially an updated version of that adopted by the General Assembly in its resolution 44/196 A, and drew attention to a number of deviations. The Secretariat also drew the attention of the Committee to the overlap between the Committee on the Elimination of Discrimination against Women and the Sub-Commission on Illicit Drug Traffic and Related Matters in the Near and Middle East of the Commission on Narcotic Drugs.

Discussion

4. Some delegations proposed the addition of a footnote in the calendar, which would indicate that, should the General Assembly decide to dissolve the United Nations Council for Namibia, reference to that body would be deleted from the calendar. Other delegations noted that all United Nations bodies were subject to approval by the General Assembly and that the footnote would be superfluous.

5. With regard to the question of venue of the Human Rights Committee, some delegations noted that the letter from the Chairman of that Committee had clearly expressed the wish of the Committee to meet in New York for its spring session. Attention was also drawn to the high utilization factor for that Committee.

6. The Committee on Conferences sought and received the advice of the Office of Legal Affairs that:

> "Treaty organs must function in accordance with the provisions of the treaties which create them and give them tasks to perform. As they are organs of the United Nations, they are subject to the general budgetary and administrative authority of the Assembly in all matters which do not impede or prevent them from carrying out the provisions of the treaties; but General Assembly resolutions cannot amend treaties, and until the treaties are formally amended by one of the recognized procedures, resolutions which conflict with them have no legal effect in respect of the treaty organs concerned."

7. Clarification was provided by the Secretariat on a number of points, including the financing of the activities of the Human Rights Committee, and the relative costs and technical feasibility of holding its meetings in New York or Geneva.

8. Some delegations believed that in view of the legal advice received, the Human Rights Committee could choose to meet either in New York or Geneva. They reiterated the view expressed by the Legal Office, stating that the International Covenant on Civil and Political Rights was international law and as such overrode General Assembly resolutions, which were considered as recommendations.

9. Some delegations believed that the Committee on Conferences should approach the question from a technical point of view, concentrating on the availability of services and the expressed wishes of the Human Rights Committee to hold its spring sessions in New York. Other delegations noted that the reasons cited for the New York venue were not convincing, and that the Human Rights Committee should be encouraged to abide by the headquarters principle.

10. One delegation stressed the need to consider the question in the context of the fact that expenses for the holding of meetings of the Human Rights Committee were covered from the regular budget of the United Nations. Further, that delegation believed that the duty of the Committee on Conferences was to ensure that the provisions of General Assembly resolution 40/243 were respected, and concluded that the legal opinion provided that the headquarters principle was not applicable to treaty bodies was incorrect. The delegation therefore proposed that the attention of the Assembly be drawn to the legal advice received, and that the Assembly be requested to pronounce itself on the applicability of Assembly resolutions to treaty bodies.

11. With regard to the venue of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space, some delegations believed that justificaton was lacking for holding alternate meetings of the Legal Sub-Committee at Geneva. They noted that meetings at Geneva implied additional expenditures, and could limit the participation of some Member States that did not have permanent missions at Geneva.

12. Other delegations drew the attention of the Committee on Conferences to the decisions of the Committee on the Peaceful Uses of Outer Space and the Legal Sub-Committee to discuss the matter further in 1991.

Conclusions and recommendations

13. In view of the fact that the General Assembly had approved the dates for the Committee on the Elimination of Discrimination against Women as 21 January to 1 February 1991, in adopting the calendar of conferences and meetings for 1990-1991, the Committee on Conferences did not recommend any adjustments in dates for that Committee, but issued an appeal to the Committee to reconsider the dates of the January 1991 session.

14. The Committee agreed that if the General Assembly decided to dissolve the United Nations Council for Namibia, it was understood that the item would be deleted from the calendar of conferences.

15. In view of the decision of the Committee on the Peaceful Uses of Outer Space to review the matter of the future venue and duration of the Legal Sub-Committee at its next session, taking into account General Assembly resolution 44/201 B, section III, of 21 December 1989 with regard to the recommendations of the Advisory Committee on Administrative and Budgetary Questions, as well as the provisions of Assembly resolution 40/243 of 18 December 1985, the Committee on Conferences decided to consider the matter in 1991, in the context of the draft calendar of conferences and meetings for 1992-1993.

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16. The Committee decided to refer the issue of the applicability of General Assembly resolution 40/243 to treaty bodies to the Assembly.

17. The Committee agreed to approve the draft revised calendar of conferences and meetings of the United Nations for 1991.

18. The Committee decided to recommend to the General Assembly that it adopt the draft calendar of conferences and meetings of the United Nations for 1991 as submitted by the Committee on Conferences and to authorize the Committee to make any adjustments that might become necessary as a result of action and decisions taken by the Assembly at its forty-fifth session.

Notes

1/ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 7 and corrigenda (A/44/7 and Corr.1 and 2).

2/ See resolution 2200 A (XXI), annex.

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ADOPTION OF THE REPORT

Draft report of the Committee

Rapporteur: Ms. Maria ROTHEISER (Austria)

II. CALENDAR OF CONFERENCES AND MEETINGS

C. Improved utilization of conference-servicing resources: meetings statistics of United Nations organs

Introduction and overview

1. At its 313-315th, 318th and 323rd meetings, on 21-23 and 28 August 1990, the Committee considered two reports by the Secretariat on meetings statistics of United Nations organs meeting in New York, Geneva and Vienna in 1989. Document A/AC.172/88/Add.8, which was the latest in a series begun in 1983, showed the "utilization factor" of each body listed, i.e., the extent to which each body had utilized the conference-servicing resources made available to it. Document A/AC.172/96/Add.7 contained the text of a letter addressed by the Chairman of the Committee on Conferences to the chairmen of those bodies that had failed to achieve the 75 per cent bench-mark criterion for efficiency in the utilization of conference-servicing resources for 1989, as well as the replies received.

2. In paragraph 4 of its resolution 44/196 A, the General Assembly requested the Committee on Conferences to review the methodology on conference-servicing

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* A/AC.172/132/Add.1.

utilization rates in order to provide, if possible, a more accurate assessment of the overall use of conference resources with a view to enabling United Nations bodies to make optimum use of conference services and to facilitate, where necessary, continued rationalization of their meeting requirements. Pursuant to a request by the Committee on the matter, document A/AC.172/88/Add.8 included an expanded section on the methodology employed in compiling the statistical information included therein. The Committee, during the above-cited meetings and in informal consultations considered and amended a proposal from the Secretariat for revision to the methodology based on a conference room paper (A/AC.172/1990/CRP.10).

Discussion

3. In introducing the documents, the Secretariat drew attention to the fact that the amendments to the methodology adopted by the Committee in 1989 were applied to statistics for meetings during 1990, and as such were not included in the current report.

4. Clarification was sought and received from the Secretariat on a number of points, including the policy for establishing the entitlements of subsidiary organs, and the use of interpretation services for informal consultations.

5. Some delegations, while recognizing the importance of rational and efficient utilization of conference-servicing resources, noted that efficacy should be gauged in time, and that it was difficult if not impossible to establish a methodology that fully explained the use of conference resources. There were weaknesses in the current methodology in that it neither took into account informal consultations, nor indicated the number of meetings cancelled owing to the unavailability of documentation. In essence, the methodology as currently designed encouraged bodies to wait until the scheduled adjournment time even if there were no items for discussion.

6. It was further pointed out that as stated in annex II to document A/AC.172/88/Add.8, there was variance in utilization factors for given committees from one year to the next, which implied that the methodology was not sufficiently refined, that there was no standard pattern for a committee and that the methodology itself was subject to variations.

7. For those reasons, some delegations expressed the view that the utilization factor could not be used as a basis for penalty.

8. Other delegations suggested that the Committee could raise the bench-mark figure for utilization to 85 per cent, or could include a note in the calendar of conferences indicating that the periodicity for bodies whose utilization was below a certain level did not imply full servicing for future sessions.

9. Other delegations noted that the Committee should base itself on the task of quantifying the use of conference resources rather than evaluating the performance of committees. The General Assembly had urged United Nations bodies to assess

their requirements more accurately and in that regard the existing mechanism was working fairly well in providing an accurate picture of the utilization of resources.

10. In view of the fact that committees worked in different ways and in different environments, it was stated that some bodies could not predict exact requirements, and in the view of some delegations, the question of proposed penalties for low utilization was inappropriate and outside the scope of the Committee.

11. Some delegations noted that the overall performance shown during 1989 was encouraging, but suggested that more should be done, particularly with regard to the nine bodies whose utilization rate was below 54 per cent.

12. The Committee agreed on the revised methodology, which would be in use for an experimental period of three years. The revision, which incorporated two new indicators, was an attempt to quantify the relationship between planned meetings and those actually held. The first new element was entitled "meeting ratio" and would be calculated as meetings held as a percentage of meetings available to a given committee. The second new element was entitled "planning accuracy factor" and would be calculated as meetings held as a percentage of meetings planned minus additional meetings minus cancellations, all as a percentage of meetings planned. In each, related reassignments would be added into the total number of meetings held, the existing methodology, as amended by the Committee in 1989 would be applied to calculate the utilization factor, and the new elements would appear as additional columns, labelled meeting ratio and planning accuracy factor.

13. There would be a total of six columns of statistical data: (a) meetings planned by a given organ in a scheduled session, not including any additional meetings; (b) additional meetings held during that session; (c) the number of cancelled meetings during the session; (d) the number of meetings actually held; (e) unrelated reassignments; and (f) time lost owing to late starting or early ending. Following the statistical data there would be three indicators: meeting ratio; planning accuracy factor; and utilization factor. During the experimental period, the Secretariat would present to the Committee on Conferences conference room papers that applied the revised methodology, incorporating the two new elements, to a small sample of bodies for evaluation by the Committee.

Conclusions and recommendations

14. As a part of the process of reviewing the methodology on conference-servicing utilization rates, the Committee on Conferences agreed to put into experimental use the newly proposed methodology to run parallel with the existing methodology for the next three years.

15. The Committee decided that, at the end of the experimental period, it would decide on the most appropriate methodology for future use and would make recommendations thereon to the General Assembly.

16. The Committee also decided that the Chairman of the Committee would continue, as was the current practice, to address letters to the presiding officers of bodies that had utilized less than the 75 per cent bench-mark of the conference resources allocated to them on the basis of the existing methodology, asking them to take measures to utilize conference resources to the fullest possible extent.